

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

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DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON, SC

Kay B. Washington,

Plaintiff,

vs.

Michael J. Astrue, Commissioner of  
Social Security,

Defendant.

Civil Action No.: 2:08-2111-TLW-RSC

**ORDER**

Plaintiff has brought this action to obtain judicial review of a final decision of the defendant, Commissioner of Social Security, denying her claims for disability benefits. This matter is before the Court for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge Robert S. Carr, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 (B)(2)(a), DSC.

In the Report, the Magistrate Judge recommends that the Commissioner's decision be reversed and that the case be remanded to the Commissioner to properly consider whether the plaintiff meets a Listing of Impairments and for continuation of the sequential evaluation process, if necessary. (Doc. #13). The defendant filed a notice of intent not to file objections to the Report. (Doc. #14).

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this

Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. It is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. #13). For the reasons articulated by the Magistrate Judge, the Commissioner's decision is hereby **REVERSED** and this case is **REMANDED** to the Commissioner to properly consider whether the plaintiff meets a Listing of Impairments and for continuation of the sequential evaluation process, if necessary.

**IT IS SO ORDERED.**

s/Terry L. Wooten  
United States District Judge

January 29, 2010  
Florence, South Carolina